

96-12-20001

#9812

AGREEMENT

Made this 28<sup>th</sup> day of May 1996, by and between Chen Chao Hsiang, t/a New Dragon, (the Applicant), and Advisory Neighborhood Commission 6B, (the ANC).

WITNESSETH

WHEREAS, Applicant's application for a Retailers' Class "B" license for premises, 259 15th Street SE, ABC Application #9812, is now pending before the District of Columbia Alcoholic Beverage Control Board (ABC); and,

WHEREAS, the premises is within the boundaries of the ANC; and,

WHEREAS, the parties desire to enter into an agreement governing certain understandings regarding the issue of a Retailers' Class "B" Liquor License at the subject premises;

WHEREAS, ANC 6B finds that the sale of single containers of beer, of less than 40 ounces, is associated with alcoholism, the illegal public consumption of alcohol, which, in turn, is associated with violence and other harmful and offensive behavior, including aggressive panhandling, and with the accumulation of destructive and publicly costly trash and litter; and,

WHEREAS, Applicant declares that ending the sale of single containers of beer, of less than 40 ounces, (which make up approximately 20% of their sales of alcoholic beverages) will result in financial hardship and will severely limit the successful operation of the Applicant's business;

NOW, THEREFORE, the parties agree as follows:

1. Applicant will make all diligent efforts to prohibit and prevent loitering and panhandling within 100 feet of the establishment by:

a. posting a "No Loitering/No Panhandling" sign on the outside of the establishment; and,

b. posting a sign inside the establishment requesting customers not to contribute to panhandlers; and,

c. asking loiters to move on whenever they are observed outside the establishment; and,

d. calling the MPD to remove the loiters if they refuse Applicant's request to move; and,

e. keeping a written record of dates and times when the MPD is called for assistance; and,

f. not installing any additional outdoor payphone outside the establishment; and,

2. Applicant will maintain the public space adjacent to the establishment in a clean and litter-free condition by:

a. picking up trash, including beverage bottles and cans, on a daily basis.

b. sweeping the outside of the establishment on a daily basis.

3. Applicant will not offer for sale single containers of beer, of less than 40 ounces, after 9 p.m.

4. In consideration of, and reliance upon, the commitments reflected in the above paragraphs, the ANC ~~will withdraw its opposition to Applicant's pending license application.~~ *hereby withdraws* Chf  
HLS

5. The parties further agree that any failure of Applicant to adhere to the foregoing commitments would constitute grounds for the ANC to petition the ABC Board for issuance of an order to show cause pursuant to 23 D.C.M.R. 1513.5.

IN WITNESS WHEREOF, the parties have affixed hereto their hands and seals.

APPLICANT:

ANC 6B:

By: Chao Hsing Chen

By: KL Simon